

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

CLYDE JOE PARKER,

Plaintiff,

v.

KELLI WARD, et al.,

Defendants.

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C.A. NO. C-06-434

ORDER DISMISSING CLAIMS AND RETAINING SUIT

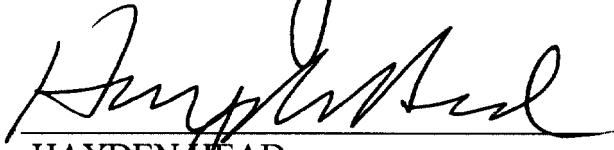
The United States Magistrate Judge filed her Memorandum and Recommendation on July 13, 2007 (D.E. 29). Plaintiff timely filed objections. (D.E. 31). However, plaintiff's objections simply inform the Court that his suit against defendants is their individual—not official—capacities.

Having reviewed de novo the Magistrate Judge's Memorandum and Recommendation, the pleadings on file, and plaintiff's objections, the Court accepts the Magistrate Judge's recommended decision.

The Court **RETAINS** plaintiff's suit against the following defendants in their individual capacities: Officer Gutierrez, Officer Rengel, Officer Ogden, Officer Diaz, Officer Quiroz, Officer Anahosa, Warden Jackson, Mr. Westloft, and Ms. Castro.

The Court dismisses plaintiff's suit against ALL other defendants because plaintiff voluntarily chose to abandon suit against them.

ORDERED this 24 day of Aug, 2007.


HAYDEN HEAD
CHIEF JUDGE